

EXHIBIT A

M5VVSHE1

1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF NEW YORK
3 -----x

4 UNITED STATES OF AMERICA, New York, N.Y.

5 v. 20 Cr. 412 (AT)

6 TIMOTHY SHEA,

7 Defendant. Trial
-----x

8 May 31, 2022
9 9:00 a.m.

10 Before:

11 HON. ANALISA TORRES,

12 District Judge
13 and a Jury

14 APPEARANCES

15 DAMIAN WILLIAMS

16 United States Attorney for the
17 Southern District of New York

BY: ALISON G. MOE
18 NICOLAS T. ROOS
ROBERT B. SOBELMAN
19 Assistant United States Attorneys

MERINGOLO & ASSOCIATES P.C.

20 Attorneys for Defendant
BY: JOHN C. MERINGOLO
21 ANGELICA B. CAPPELLINO
CLARA S. KALHOUS

22
23 Also Present: Sunny Drescher, Paralegal Specialist, USAO

M5VVSHE3

Charge

1 is immaterial what the defendant's motive for the crime or
2 crimes may be or whether the defendant's motive was shown at
3 all. The presence or absence of motive is, however, a
4 circumstance which you may consider as bearing on the intent of
5 the defendant.

6 It is unimportant whether a victim might have
7 discovered the fraudulent scheme charged in Count One had the
8 victim probed further. If you find that a scheme or artifice
9 to defraud or obtain money or property by means of materially
10 false or fraudulent pretenses, representations, or promises
11 existed, it is irrelevant whether you believe that a victim was
12 careless, gullible, or even negligent. Carelessness,
13 gullibility, or negligence on the part of the victim is no
14 defense to a charge of fraud.

15 You have heard evidence that We Build the Wall hired
16 lawyers. A lawyer's involvement with an individual or entity
17 does not itself constitute a defense to any of the charges in
18 this case. The defense has not claimed and cannot claim that
19 the defendant's conduct was lawful because he acted in good
20 faith on the advice of a lawyer.

21 If you conclude that other people may have been
22 involved in criminal acts charged in the indictment, you may
23 not draw any inference, favorable or unfavorable, toward either
24 the government or the defendant from the fact that those people
25 are not named as defendants in the indictment or are not